

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON
AND TAKE A PERMANENT UTILITY EASEMENT ON TAX MAP
PARCEL 2-12-6, OWNED BY THE HEIRS OF LULU BARLOW JER-
DEN IN CONNECTION WITH THE SKIMINO HILLS SEWER PRO-
JECT

WHEREAS, it is necessary to obtain certain easements in connection with the Skimino Hills sewer project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Draper Aden Associates and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 C, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of ____, 2004, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely

completion of the Skimino Hills sewer project, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated March 10, 2004, and incorporated herein by this reference:

Tax Map No. 2-12-6

A permanent utility easement as shown on a plat entitled "Compiled Plat Showing a Proposed Permanent 20' Utility Easement across the Property of Lulu Barlow Jerden, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County (400 sq. ft.)." Value offered to owner: \$78.00.

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer, and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute a certificate to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amount set forth above as the fair value, and damages if any, of the interest to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easement sought to be acquired, and to do all things necessary as a prerequisite thereto.